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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/883,966

06/20/2001

Koichi Numata

109237

4446

25944 7590 01/31/2008  
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EXAMINER

HANDAL, KAITLY V

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

01/31/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

09/883,966

Applicant(s)

NUMATA ET AL.

Examiner

KAITY V. HANDAL

Art Unit

1795

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 22 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

Continuation of 11. does NOT place the application in condition for allowance because: Response to Arguments

Applicant's arguments filed 1/22/2008 have been fully considered but they are not persuasive.

Applicant argues that the combination of Noguchi and Gakaree fails to provide any disclosure with regard to the first face that is only coated by an inactive material

and a second face that carries a reforming catalyst as called for in claims 1, 21 and 31 because Gadkaree does not explicitly disclose how the catalyst is highly dispersed. Examiner respectfully agrees, however the Final Office Action does state that though Noguchi fails to show details on how the catalyst layer is dispersed in the honeycomb filter, and wherein the honeycomb filter comprises a plurality of partitions that are structured to form: a raw material supply flow passage that causes the raw gas to flow along a first face of the plurality of partitions and that supplies the raw gas to the filter; and a processed gas flow passage that causes reformed and filtered gas to flow along a second face of the plurality of partitions, wherein: the reforming catalyst is carried by the plurality of partitions on the second face on the side of the processed gas flow passage, and the first face of the plurality of partitions on the side of the raw material supply flow passage is only coated by an inactive material; Rao teaches a honeycomb filter apparatus (fig. 4, 38) comprised of a plurality of porous (col. 1, lines 48-52) partitions (as illustrated) that are structured to form: a raw material supply flow passage (44) that causes the raw gas to flow along a first face of the plurality of partitions and that supplies the raw gas to the filter (illustrated); and a processed gas flow passage (46) that causes reformed and filtered gas to flow along a second face of the plurality of partitions (illustrated), wherein: the reforming catalyst/oxidation catalyst/(Platinum) (col. 4, lines 36-41) is carried by the plurality of partitions on the second face (illustrated) on the side of the processed gas flow passage (46), and the first face of the plurality of partitions on the side of the raw material supply flow passage is only coated by an inactive material/ceramic(Abstract)/(e.g. alumina as well known in the art and evidenced by US 5,956,560 - col. 18, lines 55-65) in order to provide a honeycomb filter which prevents catalyst poisoning due to the carbon particulates present by depositing the catalyst in the processed gas flow passage/(exit channels) (col. 2, lines 9-16). Therefore, it would have been obvious to replace the honeycomb of Noguchi with the honeycomb of Rao in order to provide a honeycomb filter which prevents catalyst poisoning due to the carbon particulates present by depositing the catalyst in the processed gas flow passage/(exit channels).

Applicant argues that Rao fails to disclose or suggest a first face that is only coated by an inactive material as called for in claims 1, 21, and 31. Examiner respectfully disagrees. Rao does teach that the filter element (fig. 4, 38) is made of an inactive material/(ceramic) (Abstract) such as cordite (col. 4, lines 1-7) and as set forth in the Final Office Action. Furthermore, Rao does not make any reference to having any additional element to the ceramic material or coating on the inlet channels/(raw material supply flow passage (44)). Therefore, the teaching of Rao would lead one of ordinary skill in the art to conclude that the inlet channels of Rao are made of only an inactive material/(ceramic) (such as alumina as set forth in the Final Office Action). Rao's col. 2, lines 9-16 do discuss the filter element (the emissions control system) as a whole wherein because the inlet channels filter out the carbon particulates (col. 4, lines 28-35), the catalyst on the outlet channels is not poisoned or covered with excessive quantities of carbon particulates (col. 2, lines 9-16).

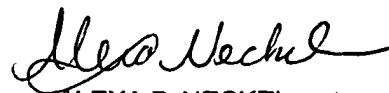
Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAITI V. HANDAL whose telephone number is (571)272-8520. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on (571) 272-1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KH 1/27/2008

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ALEXA D. NECKEL  
SUPERVISORY PATENT EXAMINER